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Book review: The Right to Know: Access to Information in Southeast Asia

R. Ramcharan

Worldwide Academy of World Intellectual Property Organisation, Geneva

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BOOK REVIEWS

CORONEL, Sheila (2001)

The Right to Know: Access To Information in Southeast Asia,
Philippine Center for Investigative Journalism, Quezon City,
Philippines. ISBN 971-8686-34-7. 270pp.

Reviewed by Robin Ramcharan

Consultant, Worldwide Academy

of World Intellectual Property Organisation, Geneva.

Article 19 of the Universal Declaration on Human Rights states that "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." Despite being enshrined in this global Magna Carta, access to information in Southeast Asia leaves a great deal to be desired. In the age of "knowledge economies" where information is the prized asset so vital to cultural, economic, political and spiritual development, if not survival, a disappointing and surprising picture emerges from Southeast Asia.

This work examines the laws that guarantee or restrict access to information, the media and the political or social environments in which information is provided in the region's "democracies" (Indonesia, Philippines, Thailand), "semi-democracies" (Cambodia, Malaysia, Singapore) and "non-democracies" (Burma, Vietnam). As Sheila Coronel notes in her introductory survey, despite liberalised information flows in the democracies, "Southeast Asia's democracies are still elitist and slow to respond to demands for social justice and equity"; in the semi-democracies "information is curtailed and people are kept ignorant"; and in the non-democracies people are virtually "kept in the dark".

As demonstrated by the authors, nearly all of whom boast impressive scholarly and practical experience in journalism, there are no legal guarantees of access to information in the eight countries. In the democracies, only the Philippines guarantees the right to information in its Constitution. Surveyed by Yvonne Chua, the 1987 Philippine Constitution protects access to information and freedom of the press. In addition, the Courts tend to decide in favour of the right to know. In Indonesia, surveyed by Warif Basorie, and Thailand, surveyed by Kavi Chongkittavorn, both guarantee free expression and free press but

with limitations.

In the semi-democracies, the 1993 Constitution and 1995 Press Law of Cambodia provide for free expression but with restrictions for publishing information affecting national security and stability. In Malaysia, the Malaysian Constitution guarantees free speech and access to information, but subject to restrictions according to national security laws. In Singapore, surveyed by James Gomez, there is no law guaranteeing access to information, free speech or free press. Singapore's set of laws is reflective of the general trend in the region to "regulate information disclosure and dissemination." The Official Secrets Act says "any person who divulges any type of information which is prejudiced to the safety or interests of Singapore shall be guilty of an offense." In the case of Singapore, Section 41 of the Criminal Law (Temporary Provision) Act on disclosure of information states "it is not required by the minister or any public servant to disclose facts that could be against the public interest."

This foreshadows the persistent fact in the case of Burma, surveyed by Bertil Lintner, and Vietnam, surveyed by A. Neumann, that their people remain in the dark ages with respect to access to information. The concern for regime security and 'national security', as defined by the state, has historically led to strict controls on the flow of information and access to information. The regimes in Burma and Vietnam, maintain tight control on information flows as they strive to cling to power in the age of market-economies.

Unsurprisingly, given the background of the authors and the importance of the press as conveyor of information the book emphasises how the region's media are being monitored and controlled to varying degrees. The freedom of the press to investigate is adversely affected by legal, procedural and ethical standards. In the non-democracies, free expression and free speech are non-existent. Published information emanates from the state. Issues of public concern and 'national security' concerns are off limits. Journalists reporting on sensitive issues have their lives threatened. In Vietnam, many aspiring journalists have abandoned this profession to pursue businesses or simply leave the country.

In the semi-democracies, free press guarantees are subverted by authoritarian governments, which continue to lay the out-of-bound markers, a phrase often cited by Singapore's Senior Minister, Lee Kuan Yew. In Cambodia most newspapers are beholden to major political parties and factions. In Malaysia and Singapore legal restrictions render guarantees of free speech problematic. While there is considerable access to information vital for foreign business, information deemed politically sensitive is not readily available. Gomez, a Singaporean human rights activist

who strives to create space for alternative views on society and politics, argues that the political culture is such that decades of a heavy-handed approach by the State has led to a situation where a materially comfortable citizenry prefer self-censorship rather than risk incurring the ire of the leadership. State-sponsored attempts to allow some space for free expression, such as the 'speakers corner' (right next to a police post), the out-of bound markers and control of the Internet appears to defy arguments of the liberalising effects of new communications technology. By contrast, free-press has been vital in the process of consolidating democracies in the Philippines and Thailand and has consolidated its positions in the aftermath of ruthless dictatorships.

A troublesome aspect with regard to the free press in the Philippines, Thailand, Indonesia and in some cases Cambodia, is the propensity of some journalists to accept bribes in return for stories favourable to their benefactors. An additional concern in the democracies is that journalists and researchers alike may find that the prevalence of unclear procedures, unnecessary 'red-tape' and untrained staff, render access to information more complicated than it should be. Moreover, the lower ranks in the hierarchy may not be so forthcoming or helpful due to fears of reprisals from their superiors.

A distinguishing feature of this book is the authors' attempt to provide a comprehensive survey of the state of access to information of importance to the ordinary citizen, to the business community, to researchers and to the press. Given its emphasis on the press, it is an important complement to scholarship on the interplay between the media and politics thus far dominated by Eurocentric scholarship, which has pointed to the liberalising role of the press vis-à-vis oppressive regimes and to its check-and-balance role in the overall governance of society. The picture that emerges from this book is that in Southeast Asia the press has thus far played a largely reactionary role, capable of acting as an agent for change only once repressive regimes have fallen. Moreover, where the freedom of the press has been consolidated unethical practices by journalists carry the risk of undermining the credibility of the press.

A complement to this study might attempt to analyse more in depth the role of the press in each of the societies under study with respect to three questions. First, to what extent is the media a genuinely conservative force supportive of the status quo? To what extent does it fulfill a check and balance to the ruling order? Finally, to what extent is the press an agent of change and does it play a transforming role? This work will be of immense value to researchers and those interested generally in Southeast Asian affairs.